IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.416 OF 2006

WITH

ARBITRATION PETITION NO.426 OF 2006

Baldevsingh H. Chib ...Petitioner

v/s

Shamshersing B. Chib ...Respondent

Mr Sanjay Jain i/b M/s LJ Law for Petitioner.

Mr Kedar Wagle for Respondent.

AND

ARBITRATION PETITION NO.428 OF 2006

Shamshersing B. Chib ...Petitioner

v/s

Baldevsingh H. Chib ...Respondent

Mr Kedar Wagle for Petitioner.

Mr Sanjay Jain i/b M/s LJ Law for Respondent.

CORAM : D.K. DESHMUKH J.

DATE : 16TH OCTOBER 2006.

P.C. :-

1. By consent of parties, all these three petitions are disposed off in following terms :-

2. In place of Hon'ble Mr Justice R.J. Kochar (Retd.) who was appointed as Arbitrator by order dated 21st December 2005, Hon'ble Mr Justice A.B. Palkar (Retd.) is appointed as Arbitrator. Disputes between the parties are referred to the learned Arbitrator for decision in accordance with law.

3. The newly appointed Arbitrator shall continue the proceedings from the stage till which the proceedings were held before the Hon'ble Mr Justice R.J. Kochar (Retd.), who was erstwhile Arbitrator.

4. The respondent - Mr Shamshersing B. Chib shall continue to deposit the amount in Court as per the order dated 21st December 2005 with liberty to him to apply before the learned Arbitrator for modification of that order.

5. It is clarified that even the petitioner shall be entitled to apply for appropriate interim relief before the learned Arbitrator.

6. The petitioner shall apply to Hon'ble Mr Justice R.J. Kochar for delivery of the original record of the proceedings to the petitioner for being delivered to the new Arbitrator and accordingly the record shall be delivered to Hon'ble Mr Justice A.B. Palkar (Retd.).

Petition is disposed off.

. Parties to act on the copy of this order duly authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.